

PROB 12B  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: TAVARES, Andy

Cr.: 09-00117-001  
PACTS Number: 53316

Name of Sentencing Judicial Officer: Honorable Faith S. Hochberg, U.S.D.J.

Date of Original Sentence: 03/15/10

Original Offense: Importation of Heroin

Original Sentence: 5 years probation; \$1,000 fine; \$100 special assessment. Special conditions: drug testing/treatment, financial disclosure, no new debt, and DNA collection.

Type of Supervision: Probation

Date Supervision Commenced: 03/16/10

**PETITIONING THE COURT**

[X] To modify the conditions of supervision as follows. The addition of the following special condition:

The defendant shall reside for a period of three (3) months in a residential re-entry center (RRC) approved by the Probation Office. While in the RRC, the defendant shall adhere to all rules and conditions established by the RRC, including the payment of sustenance costs.

**CAUSE**

1) On March 31, 2010, Tavares was arrested by New York City Police Department for his involvement in a domestic dispute involving his wife. According to investigative reports, he took his wife's cell phone without permission, pushed her onto a bed, and slapped her on the face.

2) Tavares submitted a urinalysis specimen on March 24, 2010 and April 7, 2010, respectively, which tested positive for cocaine.

Respectfully submitted,

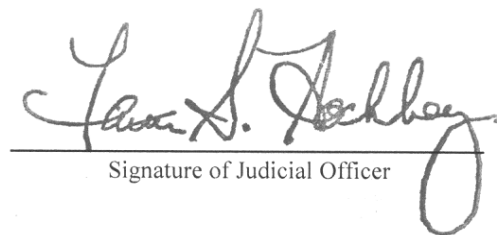
By: Joseph Empirio, USPO

Date: 06/07/10



**THE COURT ORDERS:**

- [X] The Modification of Conditions as Noted Above  
[ ] No Action  
[ ] Other

  
Signature of Judicial Officer

6/24/10  
Date

PROB 49  
(NYEP-10/28/05)

## United States District Court

### DISTRICT OF NEW JERSEY

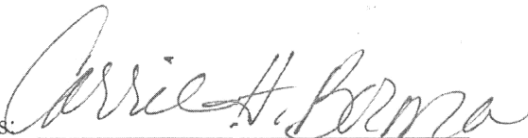
#### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, "I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

*For a period of 3 months, the defendant shall reside in a Residential Re-Entry Center (RRC) approved by the Probation Department. While in the RRC, the defendant shall adhere to all rules and conditions established by the RRC, including the payment of sustenance costs.*

Witness:



U.S. Probation Officer

Signed:



Probationer or Supervised Releasee

6/02/10

Date